

Re: In on Monday?

(b) (6)

Mon 6/10/2019 1:54 PM

To: (b) (6)
Cc: (b) (6)

(b) (6),

Both (b) (6) and I are in the HRO C-139.

V/r, (b) (6)

From: (b) (6)

Sent: Monday, June 10, 2019 7:22 AM

To: (b) (6)

Cc: (b) (6)

Subject: Re: In on Monday?

Super. Thanks. I'll shoot for this afternoon. Where is your office these days?

Cheers

(b) (6)

Get [Outlook for iOS](#)

From: (b) (6)

Sent: Monday, June 10, 2019 7:10 AM

To: (b) (6)

Cc: (b) (6)

Subject: Re: In on Monday?

(b) (6)

I'll be in later in the morning. If I'm not in, you can also talk to (b) (6)

V/r, (b) (6)

Get [Outlook for iOS](#)

From: (b) (6)

Sent: Saturday, June 8, 2019 12:34 PM

To: (b) (6)

Subject: In on Monday?

Dear (b) (6),

Are you available at all on Monday?

I have a couple of quick questions for you.

If Monday is bad, is another day better?

Many thanks.

Cheers



Get [Outlook for iOS](#)

Follow up to phone call re Investigation

(b) (6)

Tue 8/11/2020 12:24 PM

To:

(b) (6)

Cc:

(b) (6)

1 attachments (121 KB)

DON Administrative Grievance System SECNAVINST 12771.2.pdf;

(b) (6)

This is to follow up on what we discussed in our phone call today with (b) (6) to answer your questions.

(b) (6) explained the purpose of the command's investigation to determine the facts and circumstances surrounding the allegations you brought to the NWC's attention in your email of 2 July 2020. You confirmed that you will be available for (b) (6) the investigating officer, to interview you tomorrow (Wednesday, 12 August 2020) at 0900 our time via zoom.

(b) (6) and I also explained to you the various administrative mechanisms/options that I had previously discussed with you. I told you that I would send that information to you in this email as well.

The following are various administrative options we have discussed:

Alternative Dispute Resolution (ADR)/Mediation. The Navy encourages using ADR including mediation to resolve disputes including workplace disputes. You stated in our discussion that you did not think that mediation would be appropriate or beneficial in this situation. If you decide that you would like to request mediation, you may contact (b) (6), NWC Human Resources Specialist, at (b) (6), and she will coordinate that. I have copied (b) (6) for her SA.

Administrative Grievance. We discussed this option before, and you stated that when we previously discussed it, you felt like it was not appropriate at that time. For your awareness, I have attached a copy of the Administrative Grievance System instruction, SECNAVINST 12771.2, that provides detailed information on the policy and process. The informal grievance process may involve ADR (see above). If you do file a formal grievance, you would submit your grievance to the Acting Provost, (b) (6), who would be the deciding official.

Timelines. You have 15 calendar days to file an informal grievance after the after you were notified of the event/action/decision, and then you have 15 calendar days after a decision is made on your informal grievance if you are not satisfied with that decision. If you skip the informal grievance/ADR process, then you have 15 calendar days after you became aware of/were notified of the event/action/decision to submit your formal grievance. See paragraphs (a)(2) and (b)(1) that spell out the timelines for informal and formal grievances. Note: If you file an IG complaint, the grievance process will be suspended until the IG complaint process has concluded. Please let me know if you have any other questions regarding the process.

Equal Employment Opportunity. As I mentioned before and in my 2 July 2020 email, if you want to discuss your rights under EEO, you may contact (b) (6), EEO Specialist, at (b) (6). Per 29 C.F.R. 1614.105(a), you must contact an EEO counselor within 45 calendar days of the date of the alleged discrimination, the effective date of the personnel action involved, or the date you knew or reasonably should have known of the discriminatory event or personnel action.

Navy Inspector General (IG). You have the right to contact the Navy Inspector General. The NWC IG is (b) (6) who may be contacted at (b) (6). Navy IG contact information may also be found on the NWC intranet.

You also have the right to consult with legal counsel at your own cost.

I have also copied (b) (6) and (b) (6) in case I have missed anything. Please let me know if you have any other questions.

V/r, (b) (6)

(b) (6)

(b) (6)

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Pattern of harassment and bullying by colleagues in S&P, corruption of promotion process, damage to department morale

(b) (6)

Thu 7/2/2020 8:33 AM

To: (b) (6)

Dear colleagues,

I write you about this problem with the knowledge of my chair, with whom I consulted this week.

I continue to experience a pattern of harassment and bullying by a few members of the Department of Strategy and Policy. This inappropriate behavior punishes me for no reason. It degrades the department's morale and ability to function. It affects my ability to do my job. It is also likely to again corrupt the promotion process, as it did when I went up for promotion last year and was deferred by the college promotion committee. I am required to apply again this coming academic year. I am concerned about the effects of these hateful campaigns on my reputation in the department and on the likelihood that I will lose my job if two of these abusive faculty members continue their bad behavior. This situation must be corrected to protect the college and the department from costly first-, second-, and third-order effects.

Patterns of harassment and bullying only emerge over time, often by chance, and erratically. Given the known behavior of these three professors, it is likely that there is other evidence of bad behavior that I have not yet learned of. Some or all of this further evidence may well be known to the department generally if not yet to me.

The chairman of my department and the dean are already aware of Nicholas Murray's bullying and harassment campaign. It includes embarrassing the Naval War College by trying to bully the Harvard Kennedy School Belfer Center into falsely claiming that my (b) (6) monograph was not peer reviewed. This was an attempt by Murray to prevent my promotion. This campaign also includes Murray's lie in an email he sent to departmental faculty ahead of the meeting to discuss my promotion. Murray falsely claimed that a student filed a formal complaint against me for misbehavior. Human Resources has no such complaint. Further, that email's content and tone raise questions about Murray's mental stability. This Spring, Murray removed me from the Woodson Prize essay judging committee without a word to me, apparently because my teaching partner and I submitted an essay by one of our students. Keep this in mind if Murray or anyone else suggests that my service commitment is inadequate.

(b) (6) and (b) (6) have also shown a pattern of harassment and bullying.

(b) (6) as chair of my department promotion committee, harassed and bullied me in this role in three specific ways known to me at this time. First, (b) (6) told a colleague that she took the chairpersonship of my promotion committee determined to flip all its members to oppose my promotion. This is an inappropriate and unscholarly position to take ahead of review of the evidence. The fact that (b) (6) failed in this goal in no way mitigates her bad behavior or its damaging effects.

Second, as chair of my promotion committee, she interviewed my teaching partners in an attempt to discover behavior on my part that she could use to support her claim that I should not be promoted. As I understand it, the worst she was able to come up with was an officer saying he didn't know if I liked him. Her behavior is not only outside the parameters of appropriate behavior for a faculty member and a promotion committee chair, it corrupted the promotion process and ignored the actual identified departmental and college criteria for promotion.

Third, at the beginning of this past academic year, I have recently learned, (b) (6) conveyed to my new teaching partner notice that he should take notes on my behavior. This goes beyond bullying and harassment to outright menacing of me and my partner. It interferes in the relationship between my teaching partner and myself. It poisons the atmosphere of the department as well as my reputation and my ability to work with my teaching partner. It also damages my ability to interact effectively with my colleagues no matter how professional my own behavior.

(b) (6) attempts to nurture the frankly bizarre myth that I do not work well with men or military officers has seriously damaged my ability to do my job as well as damaged the morale of the department. She has also used it to distort and corrupt the promotion process, as seen above.

Regarding this myth, I urge the administration and lawyers to refresh their recollection of the oral report that (b) (6) delivered to the senior faculty of my department on this matter several years ago, after teaching with me. (b) (6)

found no evidence of wrongdoing or misbehavior on my part. She did find evidence of bad behavior on the part of the few complaining officers, notably (b) (6) and (b) (6). Then (b) (6) is responsible for not shutting down their public airing of complaints about things like my asking my teaching partner to help me clean the whiteboards in our classroom.

Finally, (b) (6) bullied me by erupting into my office to shout at me about her accusation that I had accused a student of trying to cheat. She mounted a harassment campaign against me, I recently learned, by recounting this false accusation to every faculty member she could find, making her behavior common knowledge in the department. (b) (6) behaved similarly after an email exchange that she initiated about one of my lectures. She spread the lie that I do not take criticism well. This is a serious charge to lay against a scholar. Her accusation was taken serious enough that it was raised in the senior faculty meeting considering my promotion. When I asked the chair after the meeting if he had any concerns I might be able to assuage, he raised this accusation that I do not take criticism well. I shared with him my email exchange with (b) (6), and all other exchanges with colleagues here about my lectures. He said that seeing these documents made it clear that the accusation was unfounded. But her slander remains well known to the rest of the department, damaging my ability to do my job and further corrupting the promotion process. (b) (6) behavior is bad for the morale of the department. It also damages our ability to work together as a team.

I am not providing the identities of my sources to you at this time because they, quite understandably, fear retaliation. (b) (6) is known for her outbreaks of anger and her vindictive behavior toward colleagues. Murray and (b) (6) are also, as their behavior shows, known to act vindictively. (b) (6) too has demonstrated angry outbreaks.

I understand my sources' concern. I fear retaliation myself for making this report to you. I have taken this step because of the evidence recently provided me that these bad behaviors continue. The department's promotion process is already corrupted by these behaviors. New evidence of continuing bad behavior makes it impossible for me to ignore it any more. The fact that my re-application for promotion is coming up only intensifies the danger to me. There is no reason to believe that this bad behavior will cease on its own or that its effects will magically be wiped from the memory of my colleagues. There is also likely to be other examples of this bad behavior that I have yet to learn of.

Finally, I believe that two of these faculty members are motivated by sexism, (b) (6) and (b) (6). I am happy to discuss this and any other aspect of the problem further if you like.

Thank you for your attention to this matter.

Regards,

(b) (6)

Re: Pattern of harassment and bullying by colleagues in S&P, corruption of promotion process, damage to department morale

(b) (6)

Thu 7/2/2020 4:29 PM

To: (b) (6)

Cc: (b) (6)

(b) (6)

No, that is not my understanding. However, you may contact (b) (6) to discuss your concerns if you would like to do so, and he can explain your EEO rights and the process to you.

V/r, (b) (6)

(b) (6)

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From: (b) (6)

Sent: Thursday, July 2, 2020 4:17 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Pattern of harassment and bullying by colleagues in S&P, corruption of promotion process, damage to department morale

Dear (b) (6)

Thank you so much for this information.

Does your note to me mean that the problem is now in the hands of the EEO representative and not in the hands of the war college administration?

Many thanks.

Cheers

(b) (6)

From: (b) (6)

Sent: Thursday, July 2, 2020 3:11 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Pattern of harassment and bullying by colleagues in S&P, corruption of promotion process, damage to department morale

(b) (6)

(b) (6)

This is to acknowledge receipt of your email. (b) (6) is the EEO representative for the Naval War College, and his contact information is below if you would like to talk to him.

(b) (6)

V/r, (b) (6)

(b) (6)

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Sent: Thursday, July 2, 2020 8:33 AM

To: (b) (6)

Subject: Pattern of harassment and bullying by colleagues in S&P, corruption of promotion process, damage to department morale

Dear colleagues,

I write you about this problem with the knowledge of my chair, with whom I consulted this week.

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Finally, I believe that two of these faculty members are motivated by sexism, (b) (6) and Murray. I am happy to discuss this and any other aspect of the problem further if you like.

Thank you for your attention to this matter.

Regards,

(b) (6)



DEPARTMENT OF THE NAVY

U.S. NAVAL WAR COLLEGE
686 CUSHING RD
NEWPORT RHODE ISLAND 02841-1207

12700
Ser N01/0469
10 Jul 20

From: President, U.S. Naval War College
To: (b) (6)

Subj: PRE-ACTION INVESTIGATION APPOINTING LETTER

Ref: (a) SECNAVINST 12752.1A
(b) 5 U.S.C. § 7513

Encl: (1) Administrative Investigations Guide
(2) Sample investigation report

1. This appoints you, per references (a) and (b), to inquire into the facts and circumstances surrounding allegations of harassment and bullying that occurred in or around 2019 at the U.S. Naval War College (NWC), Newport, RI.
2. Guidance on conducting a pre-action investigation is provided in enclosures (1) and (2). Prior to beginning your investigation, you are requested to consult with (b) (6), for specific guidance. (b) (6) may be reached by phone at: (b) (6) or via email at: (b) (6).
3. You are not to make any opinions or recommendations based on the facts and circumstances of the incident. Report your findings of fact to (b) (6), NWC Chief of Staff no later than 24 July 2020 unless granted an extension of time.
4. (b) (6), NWC Staff Judge Advocate, is available to provide legal advice and may be reached by phone at: (b) (6) or via email at: (b) (6).

(b) (6)

Copy to:
HRO
Provost

16 Mar 21

From: (b) (6)
To: Interim Provost
Via: (1) Command Counsel
(2) Deputy to the Provost/Director of Mission Support

Subj: PRE-ACTION INVESTIGATION ICO ALLEGATIONS OF HARASSMENT IN
STRATEGY AND POLICY DEPARTMENT

Ref: (a) SECNAVINST 12752.1A
(b) Appointing Order of 5 Aug 20
(c) PNWC EEO Policy Statement of 25 Jul 16

Encl: (1) (b) (6) of Pre-Action Investigation of 2 Oct 20
(2) Corrections and information provided by Murray of 12-22 Feb 21
(3) Corrections and information provided by (b) (6) on 16 Feb 21
(4) Corrections provided by Stone on 12 Feb 21
(5) Draft endorsement

BLUF: (b) (6) pre-action investigation determined (b) (6) allegations were unsubstantiated. (b) (6) recommended further investigation into (b) (6) allegations of systemic "sexism" in the Strategy and Policy (S&P) department in enclosure (29) to reference (c).

1. Background information.

a. Pursuant to references (a) and (b), (b) (6), conducted a pre-action investigation into allegations made by (b) (6) that she was harassed (non-sexual) and bullied throughout the promotion and tenure process in 2019, which resulted in her non-selection for promotion and tenure. (b) (6) report is attached as enclosure (1). Specifically, (b) (6) named (b) (6), Professor Nicholas Murray, and (b) (6), whose name is now (b) (6). All faculty members work in the S&P department. Due to logistical and availability issues, (b) (6) (b) (6) was the third investigating officer (IO) appointed to conduct the investigation. Additionally, issues caused by COVID-19 and (b) (6) transition from active duty to retirement resulted in the investigation taking longer to complete. The last results of interviews were received on 4 February 2021.

b. It is my understanding that due to logistical and/or connectivity issues, (b) (6) was unable to give (b) (6) and Professors Murray, (b) (6), and (b) (6) the opportunity to review the results of their interviews. Therefore, I forwarded (b) (6) Results of Interview (ROIs) to them for their review and confirmation or correction. After consulting with (b) (6), I did not send (b) (6) ROI to her for review because (b) (6) (b) (6) included commentary on the interview.

Subj: PRE-ACTION INVESTIGATION ICO ALLEGATIONS OF HARASSMENT IN
STRATEGY AND POLICY DEPARTMENT (FOUO – PRIVACY SENSITIVE)

Both (b) (6) and (b) (6) confirmed their ROIs. (b) (6) provided corrections on his ROI. (b) (6) and Murray provided information some of which is redundant to what is in the report. The additional information and corrections/clarifications provided by Murray, (b) (6) are attached as enclosures (2) – (4). The corrections and additional information they provided do not substantively change the report.

Note: The FY19 S&P Promotion and Tenure (P&T) committee recommended (b) (6) for promotion, but she was not selected. Those faculty who were appointed prior to the implementation of the NWC P&T policy may have a second opportunity to apply for promotion and/or tenure. (b) (6) submitted her second promotion and tenure application, which is being processed now. The S&P P&T committee was scheduled to meet and consider her second application on 16 February 2021; however, it was rescheduled to 19 February 2021 because Acting S&P Chair (b) (6) had some questions regarding the process and guidance he had previously given. A separate memo will address the issues concerning the S&P P&T process.

2. In enclosure (1), (b) (6) methodically and specifically addresses each of (b) (6) allegations against Murray, (b) (6), respectively. He did not substantiate any of (b) (6) allegations. Among his numerous findings, (b) (6) determined that actions taken by (b) (6) and Murray during (b) (6) promotion and tenure process were not prohibited by NWC policy or any other policy, regulation, or law. Enclosures (23) and (30) of (b) (6) (b) (6) investigation report consist of the written guidance provided to the S&P P&T committee, and this guidance did not address nor did it prohibit conducting independent verification or investigation into an applicant's qualifications for promotion and/or tenure. Some of the information they discovered that was added to the S&P committee's recommendation on (b) (6) application for promotion and tenure was positive for (b) (6). (b) (6) determined that (b) (6) and (b) (6) had a disagreement on how to handle questions by students, and that (b) (6) behavior did not constitute harassment or bullying. He further found that (b) (6) appears to be easily offended by criticism even if it is constructive.

3. Per reference (c), harassment includes behavior such as unwelcome verbal or physical conduct based upon a legally-protected characteristic such as race, color, sex (sexual and non-sexual), age, national origin, disability, religion, reprisal, sexual orientation, marital status, political affiliation, genetic information, and parental status. Behavior such as ridicule, abuse, insults, or derogatory comments become harassing conduct when it adversely affects the employee's work environment or when an employment decision affecting the employee is based upon the employee's acceptance or rejection of the harassing conduct. According to reference (c), any behavior that may have been unwelcome would not have been based on any of the above-mentioned legally-protected characteristics. Furthermore, (b) (6) found that none of the individuals mentioned above bullied, harassed, or slandered (b) (6).

4. Allegation of sexism/gender discrimination. After (b) (6) interviewed (b) (6), (b) (6) provided him a list of incidences that she documented and stated that there is "departmental sexism" in S&P. See enclosure (29) of the report in enclosure (1). Due to this allegation being beyond the scope of the original appointing order, it was not investigated.

Subj: PRE-ACTION INVESTIGATION ICO ALLEGATIONS OF HARASSMENT IN
STRATEGY AND POLICY DEPARTMENT (FOUO – PRIVACY SENSITIVE)

5. Options and recommendations. The following are possible options on how to proceed, which are not mutually exclusive.

a. PNWC sign the draft endorsement, enclosure (5), accepting the findings of enclosure (1). Recommend that someone in a leadership position (e.g., DOA, Provost brief (b) (6) on findings that the conduct of Murray, (b) (6) may not have been best practices but it did not constitute bullying or harassment, and that additional procedures that have been implemented along with HR providing guidance to all promotion and tenure committees to ensure consistency.

b. PNWC or Provost can convene an investigation into the allegations of “sexism” or gender discrimination in the S&P department. Recommend convening a comprehensive investigation into the climate of the S&P department.

c. Chair, S&P department can work with a mediator to execute a department-wide conflict resolution stand down. Dean of Academics supports this. Recommend talking with (b) (6) who is a certified DoD mediator to see if he can conduct a conflict resolution session for S&P or if he can recommend another mediator.

6. Please let me know if you have any additional questions.

Very respectfully,

//S//

(b) (6)

Re: Results of Interview (FOUO)

Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

Mon 2/22/2021 8:03 AM

To: (b) (6)
Cc: (b) (6)

(b) (6),

Thanks for letting me know. I also have now dug up the emails (and converted them into pdfs) from the Woodson Committee which show that (b) (6) (one of our former Deans) acknowledged he would only be able to serve if he did not submit a student paper, and that (b) (6) was one of several people who had to step down due to a conflict of interest. All of this also shows the alleged 'bullying' took place months before she filed her grievance. I would be happy to provide them.

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray><https://kansaspess.ku.edu/978-0-7006-2676-2.html><https://kansaspess.ku.edu/978-0-7006-3025-7.html><https://www.nebraskapress.unl.edu/potomac-books/9781597975537/><https://kansaspess.ku.edu/978-0-7006-3034-9.html>

From: (b) (6)

Sent: Monday, February 22, 2021 7:43 AM

To: Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

Cc: (b) (6)

Subject: Re: Results of Interview (FOUO)

Nick,

Thank you. I will add this to the investigation report.

V/r, (b) (6)

(b) (6)

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From: Murray, Nicholas A., CIV, NAVWARCOL <Nicholas.Murray@usnwc.edu>

Sent: Sunday, February 21, 2021 1:15 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Results of Interview (FOUO)

Dear (b) (6),

I am not sure this email exchange (att. as a pdf) was part of what I sent you. It is, and it relates to the Belfer Center allegation. I found it as I went through the emails related to the allegations.

Please note, regarding the Belfer Center allegation, (b) (6) indicated he expected us to do our own research on the candidate's scholarship and to come to our own judgement. See email March 6 2019, 2:52pm. The contact with the Belfer center should

be seen in that light, and in light of my allegations of a conflict of interest regarding (b) (6) role. I do not believe we were receiving a consistent or fully accurate answer regarding that specific topic (i.e. Belfer paper).

Last, I thought we only had 15 days to file from when we reasonably could be assumed to know, or when we knew of the problem? In the two allegations against me the filing was months after (b) (6) would have known or could be reasonably assumed to have known. as such, why was the allegation allowed to proceed?

Best,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

<https://kansaspess.ku.edu/978-0-7006-2676-2.html>

<https://kansaspess.ku.edu/978-0-7006-3025-7.html>

<https://www.nebraskapress.unl.edu/potomac-books/9781597975537/>

<https://kansaspess.ku.edu/978-0-7006-3034-9.html>

From: Murray, Nicholas A., CIV, NAVWARCOL

Sent: Friday, February 12, 2021 12:41 PM

To: (b) (6)

Cc: (b) (6)

Subject: Re: Results of Interview (FOUO)

Dear (b) (6),

Thank you.

I had not seen this. There are a number of inaccuracies. In addition, I will forward the email to the Belfer Center that is referenced. I had no idea I was accused of bullying them. I think the email will speak for itself. I will also provide the email I sent to the committee as my contribution to the discussion, as I was overseas and unable to take part in the meeting directly. This email is the one (b) (6) provided to (b) (6).

Re. (b) (6) Interview:

Paragraph 1: I am a full professor and was at the date of interview. I was selected for tenure on my first attempt, and to full professor on my second attempt. I was previously at the Army Command and General Staff College.

Paragraph 2: I let (b) (6) know that the issue regarded policy-related work that was allowed and included for (b) (6) but not for me or (b) (6). I think it should be included as it was correctly for (b) (6), but previously we were told by the same committee members that it did not count.

Paragraph 3: nothing to add.

Paragraph 4: I received the reports along with all of the other members of the committee. The bar being applied was not close to the one applied to previous candidates. For tenure, I had a book, multiple articles, and my policy work was excluded; Anand had half a dozen peer reviewed articles with top journals and a book contract but was told the book needed to be in print or about to be printed and that his prior policy work did not count (he was promoted at the second attempt after his book was about to come out in print). (b) (6) (b) (6) had no book (just a contract) and less scholarly work than either of us, but her policy work was being included unlike it had been for previous candidates.

Paragraph 5: Both the then chair and Dean accepted there was a conflict of interest, but said they did not feel it was sufficient to remove (b) (6) from assessing (b) (6) work. The relevant email chain was provided to (b) (6) with the links to the relevant guidance which says no conflict of interest is permitted, not even the appearance of one.

Paragraph 6: no issue.

Paragraph 7: (b) (6) did not ask for this email, but I am happy to provide it (I will send it to (b) (6) and (b) (6)). You will note from the email exchange with (b) (6) from the Belfer Center that the Belfer Center does not normally peer review its online articles despite us being told that was the case. The article was peer reviewed by request. I forwarded that fact to the committee chair (b) (6) as this was important in showing the article was indeed peer reviewed given that we were not certain it had been and because we had been given incorrect information regarding that fact.

Paragraph 8: I sent the entire exchange to (b) (6). I asserted that (b) (6) had formally made a complaint to (b) (6). (b) (6) refused to accept that it was a formal complaint despite not being able to explain what a formal complaint would entail. When asked what the procedures were for a formal complaint he accepted there were none. This was brought up at the meeting, and it should be noted that only my comments appear to have been shared with (b) (6).

Paragraph 9: I have been chair of the committee for several years, and as I mentioned to (b) (6) it is and has been standard practice to have faculty who submit their own student's papers step down from judging them because of the risk of a conflict of interest or the appearance of one. Occasionally this is not possible due to the number of papers, or the lack of available faculty, but it has been standard practice for any award committee I have been on.

Sincerely,

Nick

Nicholas Murray D.Phil., F.R.Hist.S.

Strategy and Policy Department

U.S. Naval War College

<https://usnwc.edu/Faculty-and-Departments/Directory/Nicholas-Murray>

From: (b) (6)
Sent: Friday, February 12, 2021 11:26 AM
To: Murray, Nicholas A., CIV, NAVWARCOL
Cc: (b) (6)
Subject: Results of Interview (FOUO)

Nick,

We received the attached Results of Interview which is a summary of the investigating officer's interview of you. It is unclear whether you reviewed this for accuracy; therefore, we wanted to ensure you had an opportunity to review it. Please confirm its accuracy and let us know if you have any corrections.

Thank you.

V/r, (b) (6)

(b) (6)

This e-mail is For Official Use Only, is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product, privacy sensitive or that is otherwise exempt from disclosure under applicable law. Any misuse or unauthorized disclosure of privacy sensitive information may result in civil and criminal penalties. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message from your computer. Thank you.

From: (b) (6)
To: (b) (6)
RE: Corrections for RIO (b) (6) concerning (b) (6) allegations of harassment and bullying
Date: 16 February 2021

I am responding to (b) (6) 12 February 2021 email requesting that I provide any corrections to "Results of Interview: (b) (6); Date of Interview: 24 August 2020; Location: Zoom"

The investigator was very thorough, but the academic promotion process is both complicated and unfamiliar to military officers, so I have a variety of corrections.

Page 1, paragraph 1. Please change "First female professor in the department." to "Only female professor in the department when she was hired."

Background information: I was not the first female professor in the Strategy & Policy Department. Perhaps I was the second. I was the only female professor in the department when I was hired.

Page 1, paragraph 2. Please delete "It was her first position as a professor."

Background: (b) (6) first academic position was not at the NWC. She taught at the (b) (6).

Page 1, paragraph 2. Please change "overall performed poorly in her lecture and seminars." to "overall performed poorly in her lectures and had a mixed seminar record."

Background information: Her seminar performance was mixed—sometimes very good, but more often well below average. She was assigned strong military co-moderators to compensate for her teaching problems. Typically her military co-moderators received higher student evaluations than she did.

Page 1, paragraph 2. Please change: "(b) (6) efforts to help were not welcomed and were usually greeted with defensive pushback. Was told more than once 'it's not me, it's them'" to "(b) (6) efforts were often greeted with defensive pushback."

Page 1, last paragraph: Please change: "The absence of any book or one under contract to be published would have killed any chance of tenure and promotion." to "Without a book or one under contract, it was debatable whether her publications met the bar for promotion; but with the book contract in a very prestigious series, there was no question that her publications met the bar."

Page 1, last paragraph: Please change "(b) (6) contacted Cornell University Press via phone and email" to "(b) (6) contacted Cornell University Press via email"

Page 2, paragraph 1: Please change “(b) (6) informed the other committee members and had it added to the scholarship report.” to “(b) (6) informed the other committee members and added this information to the scholarship section of her report as chair of the S&P tenure committee.”

Background information: Although all tenure committee members had access to the book manuscript (which I read), (b) (6) report on (b) (6) scholarship contains no reference the manuscript. I immediately informed (b) (6), the rest of the tenure committee, and the chair of the Strategy & Policy Department of (b) (6) decision to publish.

This is what I added to my report, as chair of the tenure committee, to section 4a on scholarship: “Even more significant, Cornell University Press has just agreed to publish her book manuscript, (b) (6) ‘ Cornell University Press publishes the top book series in the field of International Relations. (b) (6) of Columbia University and (b) (6) of Harvard University both reviewed and recommended the manuscript for publication. They are internationally known, top scholars in the field of International relations. Each year the series editor receives about 150 proposals but publishes only six or seven. (b) (6) is one of the six or seven.”

The manuscript’s title was “(b) (6) Cornell University Press has since changed the title to publish as “(b) (6)” due out in April 2021 (according to amazon.com).

Page 2, paragraph 1: Please change “unlikely” to “unclear” to read “(b) (6) points out that had she not done this, it is **unclear** the committee would have recommended her tenure and promotion.”

Page 2, last paragraph. There is absolutely no place for bullying or harassment at the Naval War College, by men or by women. I have suggested to colleagues in general to keep records concerning any instances of a hostile work environment. I have recommended in faculty meetings that we keep accurate records. Documenting a problem is the first step toward fixing it. (b) (6) has received more mentoring than any junior faculty member in my memory—we all wanted her to succeed. Her unjustified accusations of bullying and harassment are her reply.

Results of Interview: (b) (6)

Date: 20 Aug 20

Location: Zoom

Served as the (b) (6). Just stepped down as the Chair.

Overall: (b) (6) is a great scholar, but can be very direct at times with others. Impression is that she has a tougher relationship with her peers than most others in department. She has a high number of friction points with others in the department. When he took over there were rumors of bad professional relationships with military professors, but his predecessor left no paper trail for him. It was not mentioned in her annual appraisals. Her teaching scores from students were overall lower than her peers, but not awful. The students were not in love with her in their critiques. She has shown improvement over the last year in the classroom.

(b) (6) has made no complaints to him regarding (b) (6). It is normal to have senior experienced professors provide advice to the new professors. It would have been very normal for (b) (6) to speak to and attempt to mentor (b) (6), just as she does with others.

He handpicked the tenure and promotion committee. He selected (b) (6) to chair the committee as he has total trust in her ability and fairness. He also wanted a senior female Professor on the committee. (b) (6) did not come asking to sit on the committee. He's not sure anyone wanted to be on the committee, as it was going to be a hard process. He does not think (b) (6) went in with any agenda and believes she was very fair throughout the process. He was aware that (b) (6) was speaking to the military professors who had taught with (b) (6). He was also aware she did extra checking on the status of her manuscript. The committee report was in favor of her tenure and

(b) (6)

Professor Murray raised issues at different times during the committee process. Murray was concerned that (b) (6) was too closely associated with the publication of some of (b) (6) articles to be objective that it was a conflict. He thought it unusual, as Murray not on the committee but he did not tell him to stop getting involved. Murray raised it first with me, and then went over my head to the Dean and the Provost. Murray is often quick to complain and often goes over his head. (b) (6) saw no conflict of interest in (b) (6) doing the publication review.

(b) (6) Originally he set the tenured Professor meeting on (b) (6) promotion request for 14 May. Professor Murray was not going to be able to be present for the discussion due to a conflict. Two days prior to the meeting, Murray sent an email note to the other tenured professors in the department. He will provide me a copy. It was strongly worded and against her tenure. It brought up two factors not in the record. One was very petty that (b) (6) had not thanked him for covering lectures for her. One was major that Hazelton had a formal complaint against her by another Professor for unprofessional conduct with a student. He thought it was probably about a situation from a few weeks earlier with Professor (b) (6), but wasn't sure at the time. He was upset with Murray's poor choice of words, that it implied something more. He checked with HR and legal. There was no formal complaint against (b) (6). He checked with Murray and confirmed he was talking about the issue with (b) (6) from a few months earlier. He postponed the meeting and provided Murray's email to (b) (6), giving her a chance to know about the new matters Murray raised.

(b) (6)

(b) (6)
(b) (6)

(b) (6)

He recalls the issue with (b) (6) and (b) (6) regarding a student access to (b) (6), and the student feeling his integrity was challenged. The two came to his office. They talked through the issue. He recalls both being calm. He heard them out. Student was not wrong, nor was (b) (6) wrong. Spoke about academic freedom giving her broad discretion on student interactions.

The delayed meeting with professors was finally held in June. Very strong opinions were expressed by most present, both for and against. In end, he took a secret vote to get a faculty recommendation. The voting was 5 in favor, 5 opposed, and 4 people abstained. He was one of the 4, as he knew he would get his own recommendation as the Chair. In his written memo, he recommended (b) (6) for tenure and promotion. He felt her scholarship was very good, her service was good, and her teaching was just so/so, but improving with time. Overall, he thought she had earned promotion and tenure.

The Dean also recommended her for promotion and tenure. At the full war college tenure and promotion committee level she was not recommended, and the Provost concurred with their recommendation. In the end, she was not selected and will need to reapply this academic year.

The Woodson Prize Committee in 2020 was chaired by Professor Murray. Everyone sits on some committees and does extra duties, like this committee. Woodson is an essay contest for the students. Does not recall Murray replacing (b) (6) on the committee, but as the committee chair it would have been within his authority to do so if there was a need.

(b) (6)

(b) (6)



DEPARTMENT OF THE NAVY

U.S. NAVAL WAR COLLEGE
686 CUSHING RD
NEWPORT RHODE ISLAND 02841-1207

12700
Ser N01/0511
5 Aug 20

From: President, U.S. Naval War College

To: (b) (6)

Subj: PRE-ACTION INVESTIGATION APPOINTING LETTER

Ref: (a) SECNAVINST 12752.1A
(b) 5 U.S.C. § 7513

Encl: (1) Administrative Investigations Guide
(2) Sample investigation report

1. This appoints you, per references (a) and (b), to inquire into the facts and circumstances surrounding allegations of harassment and bullying that occurred in or around 2019 at the U.S. Naval War College (NWC), Newport, RI.
2. Guidance on conducting a pre-action investigation is provided in enclosures (1) and (2). Prior to beginning your investigation, you are requested to consult with (b) (6), for specific guidance. (b) (6) may be reached by phone at: (b) (6) or via email at: (b) (6).
3. You are not to make any opinions or recommendations based on the facts and circumstances of the incident. Report your findings of fact to (b) (6), NWC Chief of Staff no later than 25 Aug 20 unless granted an extension of time.
4. (b) (6), the NWC Staff Judge Advocate, is available to provide legal advice and may be reached by phone at: (b) (6) or via email at: (b) (6).

(b) (6)

Copy to:
HRO
Provost



DEPARTMENT OF THE NAVY

U.S. NAVAL WAR COLLEGE
686 CUSHING RD
NEWPORT RHODE ISLAND 02841-1207

12700
Ser N01/0174
16 Apr 21

FIRST ENDORSEMENT on (b) (6) USN ltr of 2 Oct 20

From: President, Naval War College

Subj: PRE-ACTION INVESTIGATION ICO ALLEGATIONS OF HARASSMENT IN
STRATEGY AND POLICY DEPARTMENT

1. Concur with the findings of the investigating officer.
2. The following actions are directed:
 - a. Chair, Strategy & Policy department shall coordinate and ensure that all military and civilian employees in S&P participate in group conflict resolution no later than 30 June 2021.
 - b. A separate command investigation will be convened to look into the climate of S&P including additional allegations of gender discrimination.

(b) (6)

Copy to:
Provost
Dean, Academics
Chair, S&P
NWC HRO
NWC Command Counsel

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